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 NTH CONNECT TELECOM, INC.
 and STEVEN CHEN

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

(SAN JOSE DIVISION)

VLADIMIR A. BALAREZO, individually and)
 on behalf of others similarly situated,)

Plaintiff,)

vs.)

NTH CONNECT TELECOM, INC., AND)
 STEVEN CHEN,)

Defendants.)

Case No.: C 07-05243 HRL

**STIPULATION AND ~~PROPOSED~~
 ORDER DISMISSING THE ENTIRE
 MATTER WITH PREJUDICE**

[Fed. R. Civ. P. 41(a)(1)(ii)]

1 WHEREAS, the parties agreed to settle this matter on the record at the March 11, 2013
2 Settlement Conference before Magistrate Judge Grewal (*see* Dkt. No. 247);

3 WHEREAS, the parties, through their respective counsel, subsequently negotiated and
4 prepared a written Settlement Agreement detailing the terms and conditions of the settlement;

5 WHEREAS, all parties and their respective counsel executed a *CONFIDENTIAL*
6 SETTLEMENT AGREEMENT AND RELEASE (the "Settlement") on or before May 9, 2013;

7 WHEREAS, the Settlement provides that this litigation shall be dismissed upon the
8 satisfaction of certain conditions precedent;

9 WHEREAS, all conditions precedent to dismissal have been satisfied at this time; and,

10 WHEREAS, the Settlement becomes effective, as defined therein, upon dismissal of this
11 lawsuit with prejudice.

12
13 IT IS HEREBY **STIPULATED** BY ALL PARTIES HERETO that:

14 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), the parties, by and through their
15 respective attorneys, hereby stipulate and respectfully request that this Court enter an Order
16 dismissing this litigation with prejudice.

17
18 DATED: May 22, 2013

Respectfully submitted,

19 MINAMI TAMAKI LLP

20
21 By: /s/ Kevin R. Allen
22 Brad Yamauchi
23 Kevin R. Allen
24 Attorneys for Defendants NTH CONNECT
TELECOM, INC. and STEVEN CHEN

25 DATED: May 22, 2013

LAW OFFICES OF TOMAS E. MARGAIN

26
27 By: /s/ Tomas E. Margain
28 Adam Wang
Tomas E. Margain
Attorneys for Plaintiffs

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that:

This matter is dismissed with prejudice.

IT IS SO ORDERED.

DATED: May 24, 2013



THE HONORABLE HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE